

REMARKS

Claims 19, 20, 22-48 and 58-91 remain pending. Reconsideration of the application is respectfully requested.

Claims 58-69, 74-76, 80-83 and 88 were again rejected under 35 U.S.C. § 102(b) as anticipated by Limon (USPN 6,273,910). Independent claims 58, 61, 67, 74 and 81 had previously been amended so as to explicitly specify that the central section is to be defined by a **single** ring. The cited reference clearly shows a plurality of "cylindrical" elements 18 as defining the central section 12. The Examiner asserts that "...the broadest reasonable interpretation of a "single ring" encompasses a plurality of small rings ... connected together..." Applicant traverses. The broadest interpretation of a "single ring" is a **single** ring, not a plurality of rings, irrespective of their size or interconnection. Single is an unequivocal and unambiguous term that does not encompass a plurality and in fact excludes it. If "single" could be interpreted to mean "a plurality", both terms would lose all meaning. Anticipation is clearly precluded.

Moreover, contrary to the Examiner's assertion, the cited reference does not disclose a method for delivering a stent to a **vulnerable** plaque. Limon does not address the problems associated with the treatment of vulnerable plaque and more particularly, does not recognize that a central section configuration that results in a reduced amount of scaffolding serves to promote cell growth over the struts and hence over the fibrous cap of the vulnerable plaque (specification page 2, lines 19-25). More particularly, no suggestion is made that reliance on a single ring element in the center section is desirable for any purpose while a "plurality of small rings connected together", as the structure is characterized by the Examiner, would be counterproductive with regard to the promotion of cell growth. It is respectfully submitted that in view of the fact that the cited reference does not address problems associated with vulnerable plaque, let alone offer the solution claimed herein, obviousness is effectively avoided as well.

Claims 19, 20, 22-48, 70-73, 77-80 and 84-91 were rejected under 35 U.S.C. § 103(a) as obvious over Limon. Independent claims 19 and 20 both explicitly call for the central section to be defined by a single ring. As was argued above, the cited reference unquestionably teaches the use of a plurality of rings and in view of its failure to recognize, let alone address, the problems associated with the treatment of vulnerable plaque, the solution of reducing scaffolding to a single ring in order to promote cell growth over the fibrous cap of vulnerable plaque is clearly not suggested. It is therefore respectfully submitted that obviousness is effectively avoided.

Claims 22-48, 70-73, 77-80 and 84-91 were rejected under 35 U.S.C. § 103(a) as obvious over Limon. These claims all depend from either independent claims 20, 67, 74 or 81 and in view of the non-obviousness of each such claims as was argued above, it is respectfully submitted that they similarly avoid obviousness.

In light of the above remarks, applicant earnestly believes the application to be in condition for allowance and respectfully requests that it be passed to issue.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: _____

John S. Nagy

Registration No. 30,664

JSN:GOH:jeb

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045
Telephone: (310) 824-5555
Facsimile: (310) 824-9696
Customer No. 24201
139281